



**WELCOME**

**2002 ANNUAL ETHICS  
BRIEFING**

**Office of the Staff Judge  
Advocate AMEDDC&S and  
Fort Sam Houston**

# USE OF GOVERNMENT RESOURCES



# Ethics

# R'Us

MEDCOM

AMEDDC&S and FSH

FIFTH ARMY

BAMC

5<sup>th</sup> ARMY RECRUITING

**221-8400/BLDG. 2792**

**221-2373/BLDG. 134**

**221-1515/BLDG. 16**

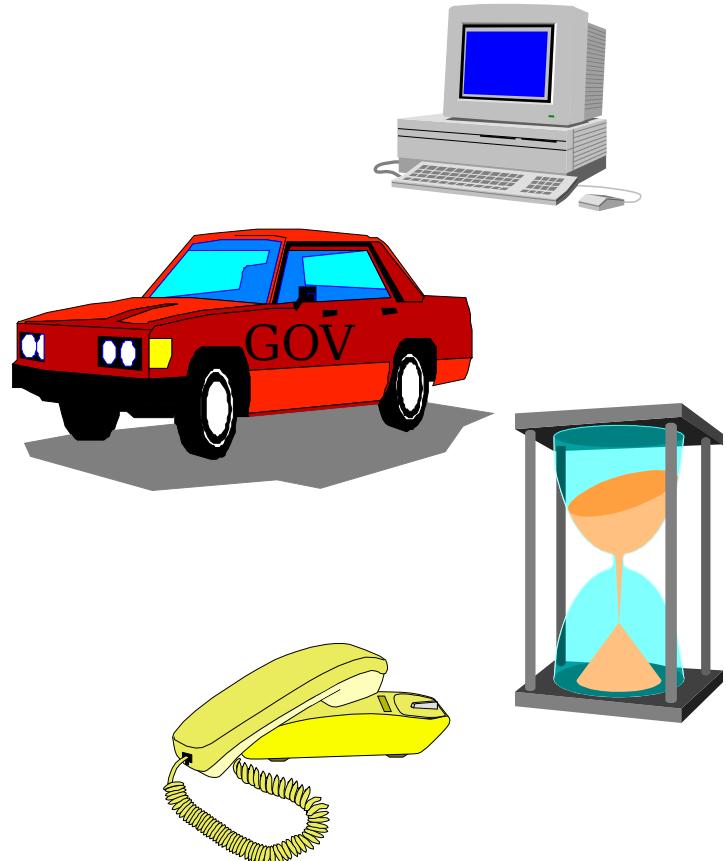
**916-2031/BLDG. 3600**

**221-0155/BLDG. 2007**

**Anytime you have an ethics question, you should call your command ethics counselor.**

# **USE OF GOVERNMENT RESOURCES**

- Equipment
- Communications
- Time
- Personnel
- Vehicles
- Government Position



Today we are going to discuss Government resources and when it is okay to use them.

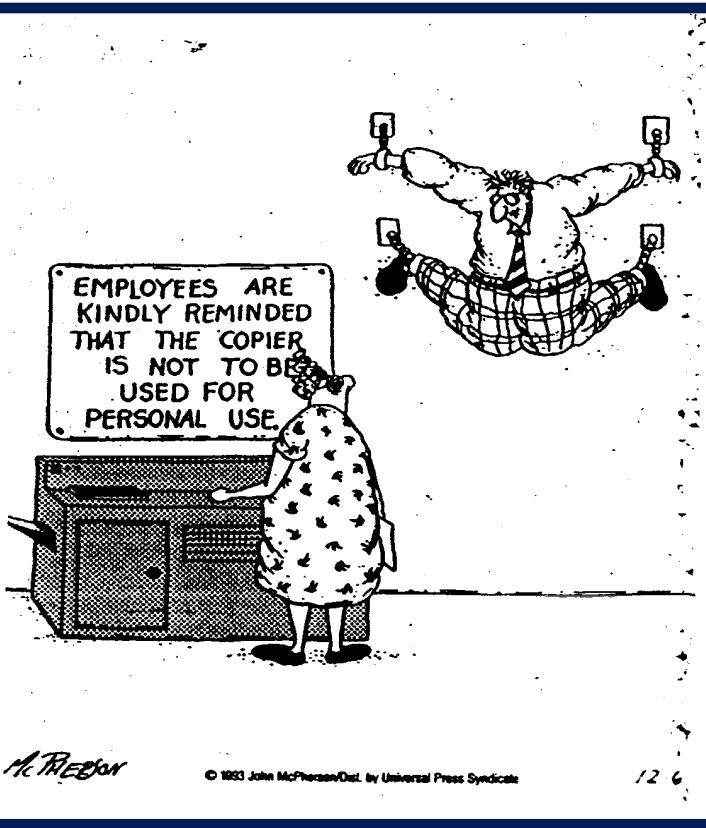
I have two goals: 1) to provide you with a general understanding of the rules so that you can determine when a use is authorized and provide guidance to your subordinates; and 2) encourage you to call my office and seek advice when you have questions.

For those of you who are supervisors, this training is particularly important because you will be advising your subordinates on some of these issues. You will see as we go along that supervisors have discretion in allowing some personal uses of Government resources.

Please raise your hand if you think it is okay to:

1. Use the office copier to copy your tax returns?
2. Use the office computer to type your resume?
3. Send a personal e-mail letter from your system at

# General Rule



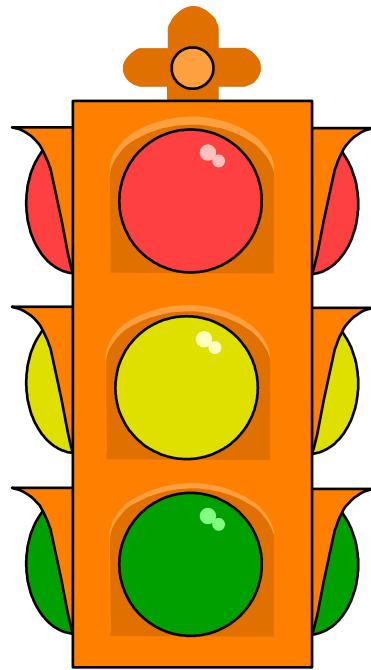
***“Employees shall protect and conserve Federal property and shall not use it for other than authorized purposes”***

***5 CFR 2635.101(b)(9)***

If you do not remember anything else today, remember the general rule. It states that employees may use Government resources only for authorized purposes. If you are not sure if a particular use is authorized, you should seek guidance from your supervisor or call our office. So what is authorized?

# **WHAT IS AUTHORIZED?**

Yes CautionNo



- Prohibited Use: unrelated to mission accomplishment
- Authorized Use: personal use with supervisor's permission
- Official Use: directly related to mission accomplishment

Most of us have known for a long time that we may use Government resources only for authorized purposes. However, most of us have assumed that the only authorized purposes were the green light of official uses, that is, use of resources directly related to the accomplishment of our agency's mission.

Certain personal uses may also be authorized. However, these uses are very limited, and so we have the cautionary yellow light. These exist to help make employees more efficient at work. In other words, we recognize that it is often impossible for Government personnel to totally ignore their personal matters during the work day. It is much less disruptive to allow an employee to make a dental appointment from her desk, than to require her to leave her workplace and find a public phone.

# **AUTHORIZED PERSONAL USE**

**PERSONAL USE:** (with permission)

- Does not adversely affect performance of official duties,
- Is of reasonable duration and frequency,
- Is performed on employee's personal time (off-duty, lunch),
- Serves a legitimate public interest,
- Does not reflect adversely on DoD, and

Let's look more closely at when personal use may be authorized. Personal use of Government resources may be authorized by an employee's supervisor, (assuming the supervisor is above a GS-11 or a commissioned military officer) if it is supportive of the mission. Note that lower level supervisors may act where an Agency Designee has delegated that authority, for example, US Army Garrison Policy Memorandum #31. The test is:

- The use does not adversely affect the performance of official duties by the employee or the employee's organization,
- The use is of reasonable duration and frequency,
- The use is made only during the employee's personal time, such as after duty hours or at lunch time,
- The use serves a legitimate public interest (such as reducing

# AUTHORIZED/PROHIBITED SUMMARY

## PERSONAL USE: (with permission)

Does not adversely affect performance of official duties,  
Is of reasonable duration and frequency,  
Is performed on employee's personal time (off-duty, lunch),  
Serves a legitimate public interest,  
Does not reflect adversely on DoD, and  
~~Creates no significant additional liability to DoD.~~

## OFFICIAL USE:

Directly relates to mission accomplishment

Unrelated to mission accomplishment

Application of these rules can be easy. For example, help me determine if the following situations are authorized uses of Government resources.

1. Use of the office copier to prepare slides for your brief to your boss advocating the use of a new management tool. (Answer: official use, authorized)

2. Can you use the office copier to make 100 copies of your letter to friends announcing your 15 year old son's graduation from medical school?

## **PERSONAL USE:**

- Does not adversely affect performance of official duties,
- Is of reasonable duration and frequency,
- Is performed on employee's personal time (off-duty, lunch),
- Serves a legitimate public interest,
- Does not reflect adversely on DoD, and

2. Use of the office copier to make 100 copies of your letter to friends announcing your 15 year old son's graduation from medical school. (Answer: personal, not authorized - no legitimate public interest, significant additional cost)

**NOTE:**

If the paper is supplied by the employee, the answer is still no because of other costs associated with copiers, i.e. toner and maintenance.

3. Can you use your computer at work after hours to type your annual Christmas letter?

## **PERSONAL USE:**

- Does not adversely affect performance of official duties,
- Is of reasonable duration and frequency,
- Is performed on employee's personal time (off-duty, lunch),
- Serves a legitimate public interest,
- Does not reflect adversely on DoD, and

3. Use of your computer at work after hours to type  
your annual Christmas letter. (Answer: personal,  
authorized with permission of supervisor)

4. Can you use the office ZIP Code Directory to locate the zip code of an old boyfriend who just hit the lottery?

**PERSONAL USE:** (supportive of mission)

- Does not adversely affect performance of official duties,
- Is of reasonable duration and frequency,
- Is performed on employee's personal time (off-duty, lunch),
- Serves a legitimate public interest,
- Does not reflect adversely on DoD, and

4. Use of the office ZIP Code Directory to locate the zip code of an old boyfriend who just hit the lottery.  
(Answer: Personal, authorized with permission of supervisor)

# **GUIDING PRINCIPLES**

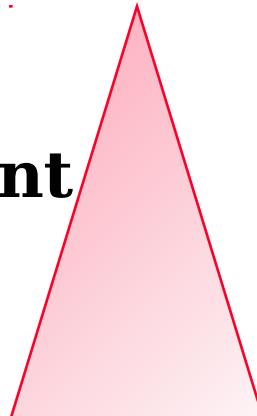
**Rule # 1: Government resources are for the benefit of the Government.**

**Rule # 2: Sometimes, the Government benefits by allowing its employees to use Government resources.**

- Make employees more efficient
- Improve employee morale
- Increase public's confidence in its officials

## **BALANCING TEST**

**Value to Government  
Value to Society**



**Cost to Government  
Susceptibility to Attack  
Visibility  
Appearance**

To help you keep things straight, we've boiled this issue down to two rules.

Rule #1: Government resources are for the benefit of the Government.

Rule #2: Sometimes the Government benefits by allowing its employees to use Government resources for themselves. Usually this occurs when, through the use of Government resources, employees become more efficient, employee morale improves, or the public gains greater confidence in its officials.

When deciding if the personal use of Government resources is authorized or not, a balancing test is usually involved. The value to the Government is weighed against the costs to the Government. Additional factors, such as susceptibility of abuse, visibility, and appearance to outsiders are also considered. The balancing test is the key to understanding the ethics of Government resource use.

# The Devil is in the... *Details*

**OFFICIAL USE:** Determined by mission. Must be directly related to and necessary for accomplishing the mission.

**MISSION:** Will differ from agency to agency, office to office

**PERSONAL USE:**

**SUPERVISOR'S APPROVAL:**

1. Formal Regulation
2. Office Policy
3. Case-by-Case



Now that we've mastered the general theory, let's examine some aspects of these rules that deserve special attention.

Before you can determine what is an "official use," you must understand the mission of the agency or even a particular office in the agency. For example, it would not be an official use for most of us to use the Internet to access the Federal Express Web Page to track delivery of mail. However, if your office sends mail via Federal Express, tracking delivery would be an official use. The point is that the use of particular resources may be an official use for some employees, and not for others.

Regarding personal use, you do not have to get permission from your supervisor every time you want to check up on your kids. Supervisor's approval can come in the form of agency regulations, command instructions, or even office policy. Case-by-case authorization is advisable for unique situations.

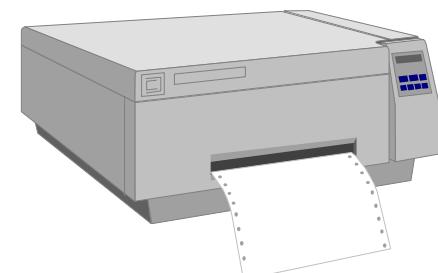
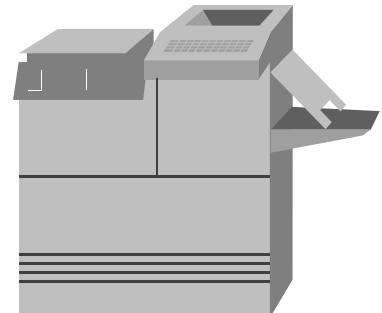
# **Equipment (Computers, Copiers, Printers)**

**OFFICIAL USE:** Accomplish mission



**PERSONAL USE:**

- Does not adversely affect official duties
- Is of reasonable duration and frequency
- Is performed on employee's personal time
- Serves a legitimate public interest
- Does not reflect adversely on DoD
- Creates no significant additional cost to



Now that we've reviewed the general concepts, let's examine the rules as they apply to particular kinds of Government resources.

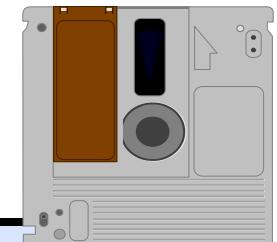
The first category is Government equipment. This includes computers, copiers, and printers. The general rule applies. We can use such equipment for official use and also for personal use when authorized by a supervisor. The criteria for such personal use are the same as we just discussed.

For example, if office policy permits, you may use an office computer after hours to type your annual Christmas letter.

# **Supplies**

## **(Paper, Pens, Paper Clips, Etc.)**

**OFFICIAL USE:** Accomplish mission

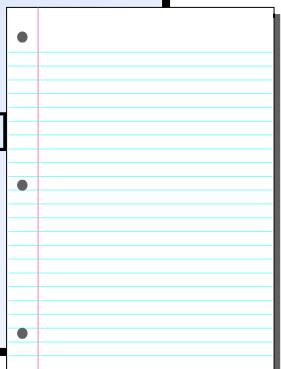


**PERSONAL USE:**

- May not create significant additional cost to B&B
- Must serve legitimate public interest



**CONCLUSION:** Rarely appropriate to use supplies for personal use



Let's discuss a hot issue, the use of supplies and consumables. This seems to be a very common problem.

Here, too, the general rule applies. We may use supplies for official uses, and those personal uses that meet the general rule. However, since the general rule does not permit personal use when there is a significant additional cost or when there is no legitimate public interest, the use of supplies is rarely authorized.

One exception, however, is that supervisors may allow office supplies to be used to prepare papers for presentation to professional associations. We will discuss this later.

# **Pop Quiz # 1**

- 1. May I use the office copier to make myself a personal copy of my daughter's report card to send to her grandparents?**
  
- 2. May I use the copier to reproduce 75 color copies of my daughter's graduation from Mrs. Smith's Finishing School and Mud Wrestling Academy?**
  
- 3. May I use the copier to reproduce 200 copies of the SECDEF's address to the graduating class of Mrs. Smith's school?**

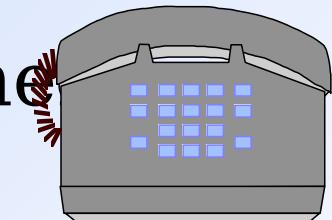
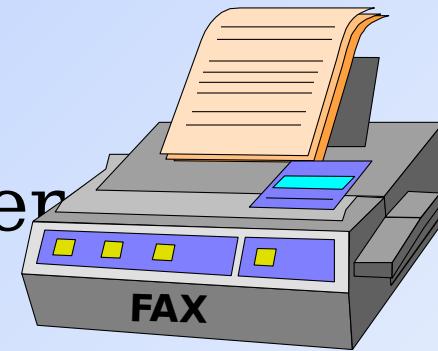
Let's see what we've learned.

1. May I use the office copier to make myself a personal copy of my daughter's report card to send to her grandparents? (Answer: Yes, if approved by supervisor or office policy.)
2. May I use the copier to reproduce 75 color copies of my daughter's graduation from Mrs. Smith's Finishing School and Mud Wrestling Academy? (Answer: No. Since this personal use does not serve a legitimate public interest and creates a significant additional cost to the Government, it may not be approved.)
3. May I use the copier to reproduce 200 copies of the SECDEF's address to the graduating class of Mrs. Smith's school? (Answer: Yes, if the address is part of the SECDEF's official duties. If the SECDEF is speaking in his personal role as an alumnus, support could be authorized if Mrs. Smith's school is considered to be a professional association or learned society.)
4. May I use the office fax to receive a 40 page personal fax during working or nonworking hours? (Answer: No. This personal use probably creates a significant additional cost to the Government.)

# **Use of Government Communications Systems at Government Expense**

## **MAY BE USED WHEN:**

- Necessary in Government's interest
- Personal communications in emergencies
- Approved personal communications when deployed
- Notify family of schedule change while on official travel



Let's discuss authorized use of communications systems that are owned or paid for by the Government. Included are communications by telephone and fax, and use of the Internet and e-mail.

Official use is, of course, permitted. This includes a use that is necessary in the interest of the Government, as well as use in emergencies. It may also include, when approved by a theater commander in the interest of morale and welfare, personal communications by military members and DoD civilians when they are deployed away from home for extended periods on DoD business. In addition, you can call home while on TDY to notify your family of a schedule change.

So, for example, if you are marooned in Hawaii for seven days because your plane broke down, you can call home to tell your family when to expect you.

# Use of Government Communications Systems at Government Expense



How about your use of Government communications systems when the use is not at Government expense? You may make a personal communication that is most reasonably made from work, such as checking in with your spouse, scheduling a medical appointment, making a brief search on the Internet, or e-mailing directions to visiting relatives.\* You may use Government communications systems for such purposes only if permitted by your supervisor (assuming the supervisor is above a GS-11 or a commissioned military officer or that authority has been delegated down), and the communications satisfy the following five criteria on the next slide:

\*NOTE: No personal use of government cell phone, except in emergency. Note also that AR 25-1, para. 6-3aa(1) states that portable, mobile, and cellular telephones will not be

# **Use of Government Communications Systems at Government Expense**

## **Limited Personal Use:**

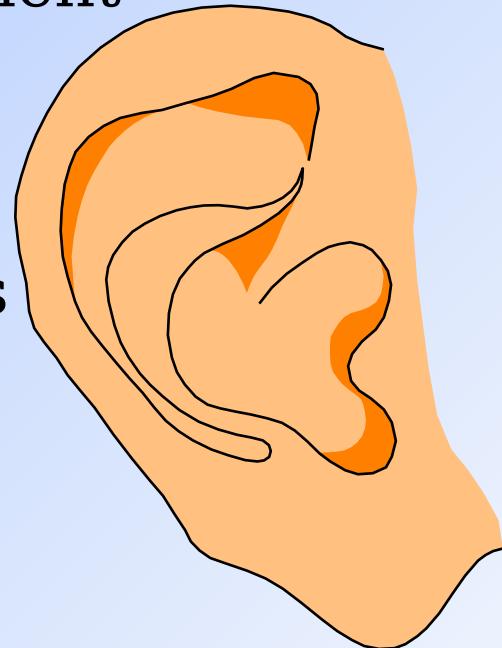
- No adverse effect on official duties**
- Reasonable duration and frequency**
- Serve legitimate public interest**
- No adverse reflection on Government**
- Do not overburden communications, no significant additional cost to DoD and no long distance charge to Government**

- (1) They do not adversely affect the performance of official duties.
- (2) They are of reasonable duration and frequency, and, whenever possible, are made during your personal time, such as during lunch periods or after duty hours.
- (3) They serve a legitimate public interest, such as keeping you at your desk rather than requiring you to go elsewhere; educating you on the use of a communications system; or enhancing your professional skills.
- (4) They do not reflect adversely on the Government. Examples of uses that would reflect adversely are communications involving pornography; chain letters; commercial advertising, soliciting or selling except for sale of your personal property on authorized bulletin boards; and violations of laws or regulations.
- (5) They do not overburden the communications system, create no significant additional cost to DoD, and, in the case of long distance communications, no charge is paid by the Government.

# PRIVACY

Any official or personal use may be monitored by the Government

- E-mail notes
- Internet searches
- Telephone conversations



## Privacy

Government communications are monitored, whether they are authorized or not. Further, a record of the use and user may be kept. For example, each time a DoD employee uses the Internet on a Government communications system, the Government records the employee's name and computer address and the locations searched.

# **Pop Quiz #2 - True/False**

**You may use Government communications systems to:**

1. Send Faxes to advertise sale of your car
2. Do a 12-minute lunchtime Internet search on your gardening hobby
3. Make off-duty toll-free long-distance call for honeymoon reservations
4. Use DSN to call your friend at a DoD installation in Hawaii

Time for a pop quiz! Let's see what we've learned.

We may use Government communications systems to:

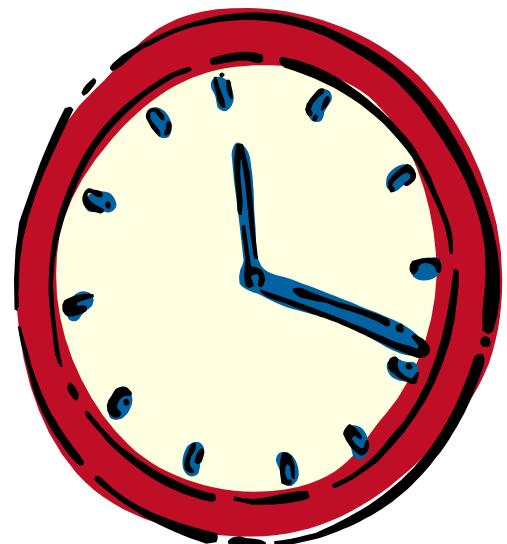
1. Send faxes to advertise sale of your car. False. Soliciting or selling is prohibited, except for your personal property on authorized bulletin boards.
2. Do a 12-minute lunch time Internet search on your gardening hobby. True, subject to conditions. This involves limited personal use at your workplace. The use must be permitted by your supervisor and must satisfy the other criteria that apply, as we discussed.
3. Make an off-duty toll-free long distance call for your honeymoon reservations. True, subject to the conditions we already discussed on limited personal use at your workplace.
4. Use DSN to call your friend at a DoD installation in Hawaii. True, subject to the same conditions as 3. above.

# Government Time

**OFFICIAL USE:** Accomplish mission (includes financial disclosure reports)

**PERSONAL USE:**

- Job Search
- Non-Federal Entities



Let's move on to talk about authorized use of official duty time.

You may use official time to accomplish the DoD mission. This includes time for preparing your financial disclosure statements, since that task is a DoD mission.

Under personal use of Government time, you may make limited use of official time to search for another job if authorized by the head of your activity during a period of downsizing. Your personnel office should be able to answer questions in that regard. **Each service has implemented transition assistance programs. You should consult a representative of that program about what official resources are available for your use.**

In addition, you are allowed to use limited Government time for activities related to non-federal entities.

# **Non-Federal Entities Personal - Authorized**

**Supervisors may permit:**

- 1. Excused absences: (for a reasonable length of time)**
  - a. To participate in non-profit professional associations**
  - b. To volunteer for community support activities and public service\***
- 2. Limited use of equipment and official time to prepare papers for professional associations if:**
  - a. Related to employee's duties,**
  - b. DoD derives some benefit, and**
  - c. Participation does not interfere with official duties.**

Personal use of Government resources may be authorized in support of non-profit professional associations, learned societies, and community support activities. Specifically, supervisors may permit excused absences for reasonable periods for DoD employees to voluntarily participate in non-profit professional associations, such as the SES Association or the Naval Institute, as well as community support activities and uncompensated public service, such as disaster relief and blood drives. Remember the supervisor must be a GS-11 or higher or a military commissioned officer.

Furthermore, if you like to write about your profession, your supervisor may permit you to use official time and equipment to prepare papers for professional associations if:

- it relates to your official duties,
- DoD derives some benefit from your writing (such as improved public confidence in its employees), and
- it does not interfere with your official duties.

Remember, however, that use of official time is available for volunteers only. For example, although you may use official time to draft your speech to the International Association of

# Use of Information

- Nonpublic Information:

NEED  
TO  
KNOW

- Not Available to the General Public
- Routinely Exempt Under FOIA
- Protected by Statute
- Classified Information

TOP  
SECRET  
CLASSIFIED  
CONFIDENTIAL

Let's talk about another Government resource - nonpublic information.

This is information that is:

- not available to the general public;
- routinely exempt from disclosure under the Freedom of Information Act (FOIA);
- protected from disclosure by statute, Executive Order or regulation (For example, Procurement Integrity Act and the Privacy Act); or
- classified information.

What are some examples of prohibited use?

- On the basis of information from the Source Selection Board, you can't recommend buying stock in a company that you know is about to be awarded a large contract.
- You can't review your boyfriend's medical file to determine if you want to become involved with him.

# Use of Government Position

- Endorsements
- Fundraising
- Benefits



Another resource is your Government position. Misuse usually occurs in one of three areas.

1. The first area is endorsements. We all know that you can't use your office to endorse a private organization or product.

Specifically, you cannot use your title, position or organization to endorse these things. There is an exception, however, for using general terms of address, such as "The Honorable," or military rank. These may be used and do not imply this authority.

For example, you cannot say General Smith, CINC, US STRATCOM, loves twinkies. You could say General Smith loves twinkies. Does everyone understand the distinction?

2. The second area is fundraising and membership drives. You may use your Government position, in accordance with applicable regulations, to support the few official DoD fundraising functions, such as those of the CFC and the Army Emergency Relief.

Commanders may also endorse and support on-post fundraising by activities composed primarily of soldiers, civilian employees, and their dependents (e.g. family support groups and youth services) when the event has been approved by the Commander, AMEDDC&S, or his delegatee, the Chief, Army Community Service (ACS).

For example, the Special Troops Battalion Family Support Group may hold a fundraising event selling cokes and hot dogs at lunch

# USE OF GOVERNMENT RESOURCES



### 3. The third area is Benefits.

Remember our opening cartoon? As you can probably guess, you may not use your Government position to coerce anyone, especially subordinates, to provide any benefit to yourself or anyone else.

For example, the commander cannot use his official letterhead to recommend his neighbor's daughter for admission to the Citadel.

# Government Owned Vehicles

**OFFICIAL USE:** Accomplish mission

- **PERSONAL USE:** Authorized Purposes
- TDY
  - Lodging
  - Restaurants
  - Religious Services
  - **NOT** Entertainment



1. Let's discuss the rules that apply to Government Owned Vehicles, or GOVs, which are vehicles that are owned or leased by the Government. These rules do NOT apply to cars rented on TDY orders.

2. Of course, GOVs may be used for official purposes. For example, you may use a GOV to travel from your official duty station to a work site, or between work sites. You cannot use a GOV for personal entertainment or recreation of any kind.

3. You may also use a GOV for a few authorized purposes. One is when you are on TDY orders.

a. Lodging - You may use a GOV to travel between your lodging and your work.

b. Restaurants - You may use a GOV to travel to a "suitable" restaurant. The determination of a "suitable" restaurant depends on the facts of your situation. If there are several restaurants nearby, you may not use the GOV to go to a restaurant some distance away just because it is more appealing. In other words, if there is a HOJO, a Denny's, a Steak and Ale, etc., within a 2 mile radius, you can't use the GOV to travel 20 miles to the exclusive French restaurant, Le Greasy Spoon.

c. Religious Services - You may use the GOV to attend religious services.

d. Miscellaneous - You may use a GOV to go to a hair stylist, dry cleaner, laundromat, doctor, or drug store. The key is that the activity must be necessary to your sustenance, health or comfort and the continued efficient performance of Government business. Just remember to go to establishments as close to your lodging or TDY site as possible.

4. What are some examples of activities that are NOT authorized?

a. You may not use a GOV when you are on leave.

b. You also can't use a GOV to go to a theater, the local casino, or a dance hall.

# GOV's (Continued)

- **PERSONAL USE:** Authorized Purposes
  - Overnight Retention and Home to Work
  - Field Work
- Minimum Penalty - 30 Day Suspension
- Rental Cars are **NOT** GOVs

c. Overnight Retention or Home to Work Exceptions

Overnight retention is taking a GOV home the night before a TDY trip so that you can start that trip from your home. Home to work means that you take a GOV home so that you can drive it to a work site the next day. The advance approval of the Secretary of Army is required in both of these circumstances. The Secretary of Army may approve when there is a "clear and present danger," an "emergency," or "compelling operations considerations."

d. Field Work Exception

This exception requires you to be at various locations that are a distance from your home station or remote locations accessible only by Government provided transportation. This exception also requires approval of the Secretary of Army.

5. Penalty. The penalty for the willful misuse of a GOV is severe. The MINIMUM penalty is a 30 day suspension without pay.

6. Rental Cars Are NOT GOVs. Cars that you rent while on Government orders are treated differently, more like your own personally owned vehicle. The Government will reimburse you only for the costs associated with the official portion of the rental, for example all those things we were just discussing under GOVs. You may use the vehicle for personal purposes, but you must pay those expenses. For example, if you were on a 2 week TDY assignment and wanted to use the rental car to go sightseeing over the weekend, you could do it, but be sure not to charge the Government for any expenses associated with the excursion! You could also go to that exclusive French restaurant, Le Greasy Spoon, just be sure to exclude the mileage! If you had a GOV, you would be stuck, or have to arrange for alternative transportation. Remember, though, when you are using the car for your own purposes, you are responsible for liability insurance!

# **POP QUIZ # 3**

- 1. Since my organization is downsizing, may I use my Government computer during duty hours to prepare my resume?**
  
- 2. May I use my name and title to ask employees to support the CFC or Army Emergency Relief Fund?**
  
- 3. May I take a GOV to a fitness center to exercise while on TDY?**

## Pop Quiz # 3

1. Since my organization is downsizing, may I use my Government computer during duty hours to prepare my resume? Yes, you may. The Comptroller General has approved this use, but only if your activity is downsizing.
2. May I use my name and title to ask employees to support the CFC or the Army Emergency Relief? Yes, these are some of the official areas, so you may use your title to help fundraise for the organization, but only in compliance with fundraising regulations.
3. May I take a GOV to a fitness center to exercise while on TDY? The standard of “official purpose” is that the use must be necessary for your health or comfort, and the continued efficient performance of Government business. Are you required to train for your health or the government? Does your lodging have facilities? There are no specific cases or rulings yet. You probably can use a GOV for this purpose, but use common sense.

# Travel Benefits

- **Frequent Flyer Miles:**
  - Government Credit Card - General Rule: Belong to you, but see Bumping rules
- **On-the-spot Upgrades:**
  - Accept if available to all Federal employees
  - Don't accept if offered because of your grade or position
- **Bumping:**
  - Voluntary - May keep travel-related benefits
  - Involuntary - May not keep travel benefits
- **Uniform:**
  - Cannot fly in uniform in first-class

Generally speaking, if you receive frequent flyer miles and/or other travel-related benefits as a result of official government travel, these miles/benefits are yours to keep. However, see the rules below for bumping.

On-the-spot upgrades may be accepted if they are generally available to the public, or all Federal employees or all military members. However, you can't accept them if they are offered because of your grade or official position. **Caution: Do not accept an upgrade to first class, if you are traveling in military uniform.**

Bumping - If you are involuntarily bumped, benefits, such as free tickets or frequent flyer miles, belong to the Government. If you volunteer to be bumped, you may keep those benefits. However, you may not volunteer if it would interfere with the mission or create additional cost to the government.

# Miscellaneous Resources

- Food
- Business Cards
- Gifts
- Stamps and Mail
- Credit Cards



Certain resources are particularly subject to abuse. As a result, specific statutes and rules apply.

1. Food. As you probably know, appropriated funds may generally not be used to purchase food for employees.
2. Clothing. Appropriated funds may not be used to purchase T-shirts, caps, etc.
3. Gifts. Appropriated funds, other than Official Representation Funds (ORFs), may NOT be used to purchase gifts, even mementos and trinkets. This includes gifts to Government employees as well as other individuals.
4. Stamps and franked envelopes. These items are for official use only. There are stiff penalties for anyone violating this restriction.
5. Government Travel Cards. You may use a Government travel card ONLY for official purposes, such as travel and lodging. Unlike rental cars, you can't use the cards for personal expenses and then pay the expenses yourself.

# Hypothetical #1

Your subordinate is the secretary of the local Boy Scouts organization. He asks you if he can do the following things using Government equipment:

1. telephone five people to set up a meeting
2. use his computer to type the agenda
3. e-mail notices of the meeting to 200 members
4. make 200 copies of the agenda
5. fax an invitation to Scott Adams to be a speaker at the next meeting (long distance)

1. Telephone 5 people - reasonable duration and frequency? Overburden communications system? Significant additional cost to DoD? Personal time, when possible. Probably ok.
2. Use computer to type agenda - personal time? Reasonable duration and frequency? Serve legitimate public interest? Probably ok.
3. E-mail 200 notices - reasonable duration and frequency? Overburden communications system? Significant additional cost to DoD? personal time? (when possible) Adversely affect performance of official duties? Reflect adversely on DoD? Legitimate public interest? Probably not.
4. Xerox 200 copies - personal time? Reasonable duration and frequency? Significant additional cost to DoD? Probably not.

What if he brought in his own paper? Same answer, there are costs, other than paper, associated with use of printers and fax machines. For example, the typical printer cartridge costs \$150 for 4000- 6000 copies.

5. Fax an invitation - personal time? Reasonable duration and frequency? Significant additional cost to DoD? This is a long distance call, so the employee must use a personal credit card to charge the cost of the fax. Probably ok with limits.

## Hypothetical #2

Later, he wants to know if he can also use the computer to create a nice letterhead design, which would include all of the officers' names, work titles and work telephone numbers. Some of the officers are government employees.

Finally, he asks you to sign a memo addressed to your office encouraging employees to support the Boy Scouts.

1. Put employee names, work titles and work telephone numbers on letterhead - This is a prohibited endorsement. What about putting work numbers on letterhead, apart from Government identification? Invite disruption during official time? Use personal telephone numbers, not work numbers.
2. Memo from supervisor supporting the Boy Scouts? The Boy Scouts is not one of the DoD sanctioned associations for which you may use your government position to support fundraising or membership drives.

## **HYPOTHETICAL #3**

Well, Scott Adams accepted the invitation to speak. On the big day, your subordinate asks you if he can take the GOV to pick up Scott, as he car pools and doesn't have a car. Your employee also wants to show Scott the city and then take him to the meeting. As a show of appreciation, he also thought the Government should buy Scott a gift.

1. Use GOV to pick up Scott Adams - The military may use GOVs to transport non-DoD officials or visiting dignitaries for public ceremonies. The Boy Scout meeting is not a public ceremony! This is not an authorized purpose for use of a GOV.

Use official time to pick up Scott Adams - You may give your employee official time to pick up Scott as a community support activity, assuming he makes other transportation arrangements. However, you aren't required to give the administrative leave, so you may also require him to take annual leave.

2. Government gift for Scott Adams - appropriated funds may not be used to buy gifts.

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